

## CLAIMS OR CLAIMS

Claim 1 has been amended to provide for Claims 2 through 19 for the purpose of clarifying the subject matter regarded as the invention. Claim 1, as originally filed, is pending.

The Examiner has indicated that Claim 1, as originally filed, was objected to because of certain informalities. These informalities have been corrected in Claims 2 through 19.

The Examiner has indicated that Claim 1, as originally filed, contained allowable subject matter. Claims 2 through 19 are intended to include all of the base claims and any intervening claims. It is therefore believed that Claims 1 through 19 are allowable.

The Examiner has rejected Claim 1 under 35 USC 112, which states, in part, "The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention." We have undertaken to revise the Specification to respond, specifically, to this ground for rejection. In addition, we have undertaken specifically to conform the Specification and the Claims.

### LISTING OF CLAIMS

#### Claim No. 1 (Original, Previously Presented, Pending)

1. A *poker* card game played with conventional playing cards, comprising:

- (a) first, dealing two cards face down to each player,
- (b) second, conducting a round of betting after the two cards have been dealt; where one or more players can wager all his money and be an "all-in" player.
- (c) third, if there is no more betting possible, the players remaining in the hand must expose their two face down cards.
- (d) fourth, dealing three community cards face up, wherein each community card is usable by any player to form a five card *poker* hand,

(e) fifth, if no more betting is possible and all cards have been exposed, any of the players remaining in the hand have the option to fold his hand and get back 40% of his wager. If more betting is possible, conducting another round of betting.

(f) sixth, if after this betting round there is no more betting possible, the players remaining in the hand must expose their two face down cards

(g) seventh, dealing one community card face up,

(h) eighth, if no more betting is possible and all cards have been exposed, any of the players remaining in the hand have the option to fold his hand and get back 20% of his wager. If more betting is possible, conducting another round of betting.

(i) ninth, if after this betting round there is no more betting possible, the players remaining in the hand must expose their two face down cards.

(j) tenth, dealing one community card face up,

(k) eleventh, if more betting is possible, conducting a further round of betting.

(l) twelve, all players remaining in the hand expose their two face down cards to determine which player has the winning five card *poker* hand, wherein each hand comprises the two cards dealt to a player plus the five community cards;

said steps (a) through (l) being conducted sequentially, beginning with steps (a) and concluding with step (l).

#### Claim No. 2 (new)

A method of playing a poker game (i) with one deck of conventional playing cards, comprising 52 cards divided into four different suits, (ii) among at least two different players, (iii) that is played in sequential rounds, known as “hands” with (iv) each hand providing for the wagering of money or representations of money, known as “chips,” with (v) all wagers of money or chips held in a community fund, known as the “pot” and that (vi) utilizes the following additional steps:

- a. Dealing two cards, face-down, to each player in the hand
- b. Requiring the player to the left of the dealer to wager a fixed amount
- c. Requiring the player to the left of the player specified in Step 1(b) to wager a fixed amount
- d. Requiring each player in the hand thereafter to make a wagering decision
- e. Dealing three cards, face-up, to be used as community cards
- f. Repeating Step (d), with the proviso that any player remaining in the hand may check (i.e., defer his betting decision until another player in the hand has made a betting decision)
- g. Dealing one card, face-up, to be used with the first three as community cards
- h. Repeating Step (d), with the proviso that any player remaining in the hand may check (i.e., defer the betting decision until another player in the hand has made a betting decision)
- i. Dealing one card, face-up, to be used with the first three and fourth as community cards
- j. Revealing the remaining players' face-down cards
- k. Declaring a winner based on the highest possible standard poker hand, which poker hand(s) are composed based on using a remaining player's two face-down cards and the five face-up community cards, in any combination and awarding the pot to the player with the highest hand
- l. Permitting any remaining player, at Step (d), Step (f) and Step (h), to wager all of his remaining money or chips (i.e., permitting any player to "move all-in")
- m. Requiring all players remaining after the wagering decisions following the election by a player to move all-in to reveal their face-down cards

- n. Permitting any player in a hand who elects to move all-in at either Step (d) or Step (f) to subsequently fold with insurance (i.e., to fold with insurance at Step (f) if that player had moved all-in at Step (d), or to fold with insurance at Step (h) if that player had moved all-in at Step (f)).
- o. Permitting any player who elects, at Step (f) or Step (h), to fold with insurance to receive back from the pot an amount equal to the recovery percentage less a specific insurance premium
- p. Requiring the down cards of any player in a hand who elects to fold at any step described above to remain concealed from all remaining players.

Claim No. 3 (new)

The method as described in Claim 2 further including a passive dealer, i.e., a position occupied by the game sponsor that does not participate in the playing of the game, other than dealing the cards to the players.

Claim No. 4 (new)

The method as described in Claim 3 further including a mechanism, known colloquially as the “button,” whereby the position, but not the actual function, of the dealer moves sequentially to the left with the playing of each hand, such that the dealer position in hand No. 1 may be Player A, in hand No. 2, Player B, and so forth.

Claim No. 5 (new)

The method as described in Claim 2 further including a mechanism, known colloquially as the “small blind,” whereby the position to the immediate left of the dealer position, as further described in Claim No. 3 and Claim No. 4, is required in Step (b) to wager an amount specified by the game sponsor.

Claim No. 6 (new)

The method as described in Claim 2 further including a mechanism whereby the small blind, as further described in Claim 5, or, if the small blind folds at any point in the hand, the next active

player to the left of the small blind, will be the player with the first wagering decision in Step (f) and Step (h).

Claim No. 7 (new)

The method as described in Claim 2 further including a mechanism, known colloquially as the "big blind," whereby the position to the immediate left of the small blind, as further described in Claim 5, is required in Step (c) to wager an amount specified by the game sponsor, which amount is larger than the amount wagered by the small blind.

Claim No. 8 (new)

The method as described in Claim 2 further including a wagering decision that must be exercised by each player at Step (d), which must be to (i) match the wager made by the immediately preceding player (i.e., to "call"), (ii) increase the amount previously wagered by the preceding players (i.e., to "raise") or (ii) not to call and withdraw from the hand, forfeiting all amounts previously wagered (i.e., to "fold"), and including the following additional steps:

- q. In the case where no player raises the big blind, the small blind must make a wagering decision to (i) call the wager made by the big blind, (ii) raise the wager made by the big blind or (iii) fold.
- r. In the case where the amount wagered by any player, including the small blind as described further in Claim 7(a), is greater than the amount wagered previously by the big blind, the big blind must make a wagering decision to (i) call the wager, (ii) raise the wager or (iii) fold.

Claim No. 9 (new)

The method as described in Claim 2 and Claim 8, including but not limited to the additional steps (q) and (r) in Claim 8, and further including a wagering decision that may be exercised by any player at Step (d) to wager all of his remaining money or chips (i.e., to "move all-in").

Claim No. 10 (new)

The method as described in Claim 2 further including a wagering decision that must be exercised by each player following the election of any preceding player to move all-in to (i) call the wager or (ii) fold.

Claim No. 11 (new)

The method as described in Claim 2 further including the revealing of the cards dealt face down in Step (a) of each player who, following a move all-in by a preceding player, elects to call.

Claim No. 12 (new)

The method as described in Claim 2 further including Step (e), which involves the dealing of three cards, face-up, by the dealer, which three cards may be used by any remaining player, in combination with the two cards originally dealt face-down to that player, to form a ranked poker hand.

Claim No. 13 (new)

The method as described in Claim 2 further including a wagering decision made available at Step (f) and Step (h) to (i) a player who has moved all-in and (ii) every other player who has called the all-in decision to “fold with insurance.”

Claim No. 14 (new)

The method as described in Claim 13 further including the right of the game sponsor to elect to charge an “insurance premium,” which may be either (i) a fixed amount or (ii) the product of (I) a fixed amount (i.e., the amount required of either the big blind or the small blind) and (II) a numeric value (i.e., one, two, three, etc.), however in the preferred embodiment the insurance premium will be (i) the amount wagered by the small blind, in the case of an election to fold with insurance at Step (f) or (ii) the amount wagered by the big blind, in the case of an election to fold with insurance at Step (h).

Claim No. 15 (new)

The method as described in Claim 13 further including the right of the game sponsor to fix the “recovery percentage” of a “fold with insurance” election, which recovery percentage may be any numeric percentage, however in the preferred embodiment the recovery percentage will be (i) 40% if the election is made at Step (f) or (ii) 20% if the election is made at Step (h).

Claim No. 16 (new)

The method as described in Claim 13 further including the right of a player who has elected to fold with insurance to recover from the pot the recovery percentage less the insurance premium.

Claim No. 17 (new)

The method described in Claim 2 further including the right of the player with the highest ranked poker hand to be awarded the pot, comprising the cumulative wagers in the hand plus any insurance premiums paid by any player who had elected to fold with insurance minus the recovery percentage returned to any player who had elected to fold with insurance.

Claim No. 18 (new)

The method described in Claim 2 further including a configuration in which the game is played electronically on a network or over the Internet by multiple players each of whom is located in a geographically different location and who access the game sponsor by means of wired or wireless networking equipment, including but not limited to personal computers.

Claim No. 19 (new)

The method described in Claim 2 further including a configuration in which the game is played electronically on a console or stand-alone gaming station by one or more players located in a gaming or other recreational environment.